

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2017 Legislative Session, Legislative Day No.: June 27, 2017

Resolution No.: 247

Introduced by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 8007 AND 7987 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, FURTHER DESCRIBED AS TAX MAP 35 PARCELS 54 AND 82, LYING ON THE EAST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 4.446 ACRES OF LAND, MORE OR LESS, OWNED BY CELESTE INDUSTRIES CORPORATION, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE TO THE TOWN'S INDUSTRIAL ("I") ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY'S EXISTING "LI" ZONING, AND FINDING THAT THE PROPOSED REZONING WILL ALLOW LAND USES THAT ARE SUBSTANTIALLY DIFFERENT FROM THOSE PERMITTED UNDER THE COUNTY'S EXISTING "LI" ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH MD. CODE, LOCAL GOV'T ARTICLE, § 4-416

By the Council: June 27, 2017

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, July 25, 2017 at 6:30 p.m., in the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington St., Easton, MD 21601.

By order:


Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 8007 AND 7987 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, FURTHER DESCRIBED AS TAX MAP 35 PARCELS 54 AND 82, LYING ON THE EAST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 4.446 ACRES OF LAND, MORE OR LESS, OWNED BY CELESTE INDUSTRIES CORPORATION, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE TO THE TOWN'S INDUSTRIAL ("I") ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY'S EXISTING "LI" ZONING, AND FINDING THAT THE PROPOSED REZONING WILL ALLOW LAND USES THAT ARE SUBSTANTIALLY DIFFERENT FROM THOSE PERMITTED UNDER THE COUNTY'S EXISTING "LI" ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH MD. CODE, LOCAL GOV'T ARTICLE, § 4-416

1 **WHEREAS**, Md. Code, Local Gov't § 4-416 (b) restricts the authority of a municipality
2 annexing land to allow development of the annexed land for a period of 5 years for land uses
3 substantially different from the authorized uses, or at substantially higher densities, exceeding
4 50%, than could be granted for proposed development in accordance with the County zoning
5 classification applicable at the time of the annexation; and,
6

7 **WHEREAS**, the Town of Easton (the "Town") is authorized by the provisions of Md.
8 Code, Local Gov't §4-401 *et. seq.* (the "Code") to expand its municipal boundaries by annexing
9 lands adjacent to it, and Celeste Industries Corporation (the "Petitioner") has requested that the
10 Town annex two parcels of land located on the east side of Easton Industrial Park, consisting of
11 4.446 acres of land, more or less (the "Annexation Property"). The Annexation Property is
12 shown on a plat titled "ANNEXATION 2017 TOWN OF EASTON ON THE LANDS OF
13 CELESTE INDUSTRIES CORPORATION, IN THE FIRST ELECTION DISTRICT, TOWN
14 OF EASTON, TALBOT COUNTY, MARYLAND TAX MAP 35 GRID 13 PARCELS 54 &
15 82", prepared by Lane Engineering, LLC, dated March 20, 2017, which is attached as Exhibit
16 "A" to this Resolution; and,
17

18 **WHEREAS**, the Annexation Property is currently in the County's Limited Industrial
19 ("LI") zone; upon annexation the Town proposes to rezone the property into the Town's
20 Industrial ("I") zone; and,
21

22 **WHEREAS**, rezoning from the County's "LI" zone to the Town's "I" zone will allow
23 development of the Annexation Property at a substantially higher density, exceeding 50%, than
24 could be granted for development under the County's "LI" zoning classification; and,
25

26 **WHEREAS**, rezoning from the County's "LI" zone to the Town's "I" zone will allow
27 land uses that are substantially different from those permitted under the County's "LI" zoning
28 classification; and,
29

30 **WHEREAS**, Md. Code, Local Gov't § 4-416 (c) provides that if the County expressly
31 approves, the Town may place the Annexation Property in a zoning classification that allows a
32 land use or density substantially different from the land use or density specified in the County's
33 existing zoning classification.
34

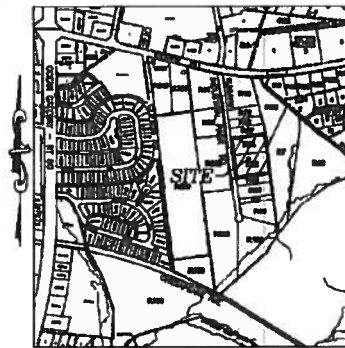
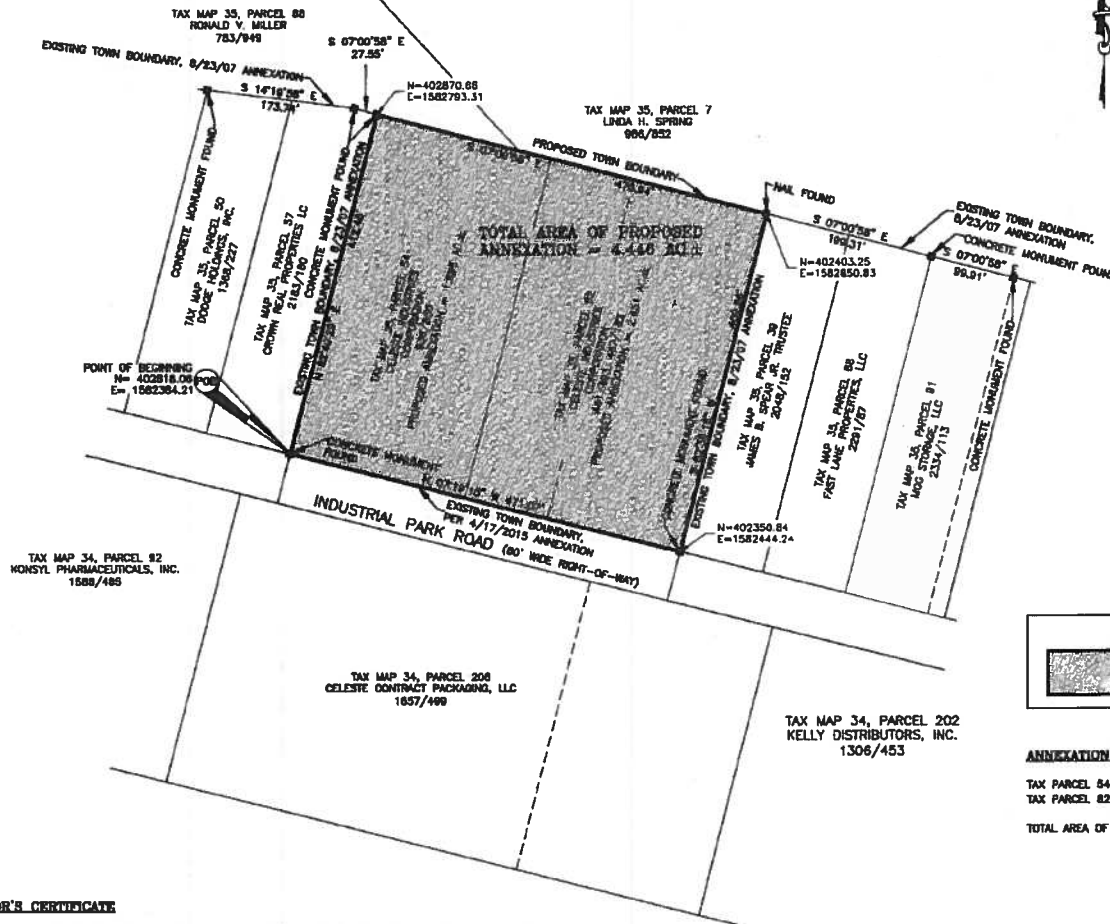
35 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF**
36 **TALBOT COUNTY, MARYLAND, THAT:**
37

38 1. The County Council finds that the rezoning of the Annexation Property from its current
39 Limited Industrial ("LI") zoning classification to the proposed Industrial ("I") zoning
40 classification will allow development of the Annexation Property at a substantially higher
41 density, exceeding 50%, than could be granted for development in accordance with the County's
42 Limited Industrial ("LI") zoning classification.

43 2. The County Council finds that the rezoning of the Annexation Property from its current
44 Limited Industrial ("LI") zoning classification to the proposed Industrial ("I") zoning
45 classification will allow land uses that are substantially different from those permitted under the
46 County's Limited Industrial ("LI") zoning classification.

47 3. Pursuant to Md. Code, Local Gov't § 4-416 (c), the County hereby expressly approves
48 the Town placing the Annexation Property into a zoning classification, the Industrial ("I") zoning
49 classification as proposed by Town Ordinance No. 708 and Town Resolution No. 6082, upon
50 annexation of the Annexation Property, that will allow a density substantially higher than the
51 density specified in the County's Limited Industrial ("LI") zoning classification and will allow
52 land uses that are substantially different from those permitted in the County's Limited Industrial
53 ("LI") zoning classification.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately
upon the date of its passage.



VICINITY MAP
SCALE: 1" = 1000'

LEGEND



AREA OF PROPOSED ANNEXATION

ANNEXATION AREA CALCULATIONS

TAX PARCEL 54 PROPOSED ANNEXATION 1.985 AC±
TAX PARCEL 82 PROPOSED ANNEXATION 2.461 AC±
TOTAL AREA OF PROPOSED ANNEXATION 4.446 AC±

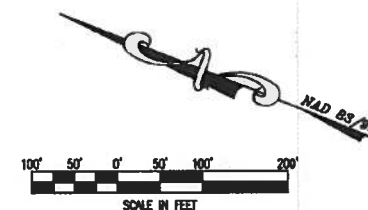
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION, TO THE TOWN OF EASTON THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IT IS AN ANNEXATION OF THE LANDS CONVEYED TO CELESTE INDUSTRIES CORPORATION BY DEED DATED JUNE 30, 1988 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 936, AT FOLIO 880 AND THE LANDS CONVEYED TO CELESTE INDUSTRIES CORPORATION BY DEED DATED APRIL 28, 1972 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 481, AT FOLIO 463, AND THAT IT IS IN ACCORDANCE WITH DEEDS AND/OR PLATS OF RECORD. THIS PLAN HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND THAT I AM A DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 363, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS AUGUST 3, 2017, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 08.13.06.12 OF THE MARYLAND MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS. MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN HEREON.

[Signature]
JAMES E. HUBBARD
REGISTERED PROPERTY LINE SURVEYOR
MARYLAND REGISTRATION NO. 363
LANE ENGINEERING, LLC
117 BAY STREET
EASTON, MARYLAND 21801

4/2/17
DATE

THE COORDINATES SHOWN HEREON ARE BASED ON THE MARYLAND STATE PLANE COORDINATE SYSTEM NAD83/01. THE DISTANCES SHOWN ARE GROUND BASED.



| REVISIONS | | | |
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| No. | DATE | DESCRIPTION | BY |
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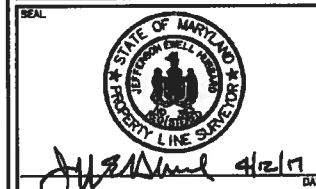
Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors



E-mail: info@laneeng.com
117 Bay St., Easton, MD 21829 (410) 822-3000
15 Washington St., Cambridge, MD 21613 (410) 221-0010
244 Pennsylvania Ave., Centerville, MD 21037 (410) 700-3000



ANNEXATION 2017 TOWN OF EASTON

ON THE LANDS OF CELESTE INDUSTRIES CORPORATION

IN THE FIRST ELECTION DISTRICT,
TOWN OF EASTON, TALBOT COUNTY, MARYLAND
TAX MAP 35, GRID 13, PARCELS 54 & 82

ISSUED FOR: SURVEY TO TOWN DATE: 3/20/17 BY: JEH

SHEET No. 1 OF 1 DATE: 3/20/17
SCALE: AS NOTED JOB No. 170038
FILE No. A002

PUBLIC HEARING

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. ____ having been published, a public hearing was held on _____ at ____ a.m./p.m., in the Bradley Meeting Room, South Wing, Talbot County Court House, 11 N. Washington St., Easton, Maryland.

BY THE COUNCIL

Read second time:

Enacted:

By order: _____
Susan W. Moran, Secretary

Williams -

Price -

Bartlett -

Pack -

Callahan -

Effective Date: